

GOLDEN BEAR LAND & WATER  
*Land Stewardship Consultation*

May 23, 2006

Mark Bradley  
National Organic Program  
1400 Independence Ave. SW,  
Room 4008-So., Ag Stop 0268  
Washington, D.C. 20250  
RE: Docket # TM-05-14

Dear Mr. Bradley;

This letter is in response to the advance notice of proposed rulemaking pertaining to pastures under the National Organic Program guidelines. I am a California State Certified Rangeland Manager and currently provide Comprehensive Nutrient Management Planning services to livestock producers in Marin and Sonoma County working under NRCS EQIP contracts. I hold a Ph.D. in Rangeland Ecology and have been involved in organic production since 1979.

Below are both the NOP text, pulled from the NOP website, and my comments, in italics.

- Is the minimum time (*proposed requirement*) spent on pasture based primarily on the quality of the pasture, or the quantity of the feed provided by the pasture?  
*Good quality pasture will provide equivalent feed value in less grazing time than poor quality pasture. In my view, however, the issue of minimum time spent on pasture has more to do with quality of life for the cow than quantity or quality of feed. The assumption is that feed the cow harvests herself from pasture is qualitatively better for her, in terms of the total experience of "grazing," than feed brought to her. The operative process is grazing, rather than feed quality or quantity per se. Pasture improvement strategies must be part of the OSP, so that all organic pastures should either be high quality, or be moving toward high quality.*
- How is the pasture requirement affected by drought, flood, or other natural disaster?  
*Some accommodation for "acts of god" must be built in to the OSP as it pertains to grazing; importantly, requiring pasture access when such access would be harmful to pasture soils or vegetation is counter- indicated. If access to pasture for a specific period of time or volume of feed is required by the NOP, the dairy must plan for such access under "normal" ranges of climatic variability, but it is obvious that these ranges will sometimes be exceeded, resulting in the inability to provide that access at times. One*

*traditionally recognized benefit of Organic farming is the buffering, through soil development, of vulnerabilities to drought, excessive rainfall, etc. Thus, any organic pasture program must demonstrate the capacity to improve sub-optimal conditions, or to maintain existing optimal conditions over time. Again, the OSP should contain explicit reference to the farm pasture and soil development program, as well as the “normal year” pasture management program.*

- Should pasture condition or quality be considered? Should there be a minimum pasture quality requirement?

*Requiring a minimum pasture quality is inappropriate, but a pasture improvement program should be part of the OSP and conditions requiring improvement should be noted during the annual inspection. Pasture condition or quality should improve over time, as per any other cropping system, until some realistic and sustainable level of pasture fertility and productivity is achieved. Failure to improve poor pasture conditions over time, within climatic and site constraints, should result in conditional certification renewal and, finally, censure.*

- Should specific animal-unit stocking rates per acre be considered? How? *Absolutely not. Stocking rates are site and management system specific. A national uniform stocking rate would be ecologically irrational. (“Stocking rate,” by the way, is the number of animals on a given area of land for a given period of time; “stocking rates per acre” is an incorrect use of the term).*

- In lieu of a uniform pasture requirement, could a time range (based on the field quality, number of cows, type of operation, and other farm-specific factors included in the organic system plan) adequately or appropriately define the role of pasture in organic livestock management?

*This question appears to ask if a period of time on pasture (annually? daily?) could be used to codify how much pasture is enough in certified Organic systems. Again, no uniform national standard can be applicable, unless it is through language such as “maximize the amount of time livestock spend on pasture.” Inspectors familiar with grazing, herd and pasture management in their areas should be able to reasonably evaluate each operation for compliance with this standard within the constraints of the specific farm. A minimum standard, insuring cows access to pasture, for say, 30% of the time (by way of example only, and based, again for example, on a weekly or monthly average to accommodate inclement weather or seasonal pasture shortages) could be considered. This could be particularly helpful to prevent factory farms with little or no pasture from becoming certified as organic. Most appropriate, however, as seems suggested by the question, pasture conditions, livestock numbers, type of operation, and other farm-specific factors delineated in the OSP should define the role of pasture in the farm program under the general paradigm of “maximize the amount of time livestock spend on pasture within the constraints of sustainable use.”*

- Should a livestock feed requirement uniformly specify how much feed comes from pasture?

*No. Quantity of feed derived from pastures should be maximized within the constraints of sustainable use as described in the farm's OSP; this will vary with site and climatic conditions. Again, inspectors will need to evaluate each farm's pasture program individually.*

- How would an accredited certifying agent appropriately measure compliance with specific measures adopted to change the role of pasture? For example, if dry matter intake is used as a benchmark, should it be measured as the average DMI over a certain time period, such as a calendar year or average 12 months?

*Potential annual pasture production (determined using various techniques, including NRCS soil survey values) can be compared with quantity of forage actually harvested by grazing to evaluate whether the farm has "maximized pasture use within the constraints of sustainable use" as defined within the farm OSP.*

- How should producers and certifying agents verify compliance over time for a herd of cows that are at various stages of growth or have varying states of nutritional needs? Can the producer and certifying agent determine this in the organic system plan?

*Quantity of feed derived from pastures for each class of livestock should be maximized within the constraints of sustainable use as described in the OSP. Producer and inspector will need to work together to optimize this strategy for the farm as a whole. Again, inspectors will need to evaluate each farm's program individually.*

- Is there a relationship between the number of cows and number of acres on a farm and the producer's ability to comply with minimum pasture requirements?

*There is most definitely a relationship between cow numbers, acreage, and available forage. This is site specific, however, and will need to be evaluated on a case by case basis. As livestock numbers increase, the percentage of feed that can be derived from pastures will generally decline, unless management changes result in concomitant increases in pasture productivity. At some point, opportunities for "meaningful" access to pasture may become impossible, as which point organic certification may be impossible. What that threshold is of course, is the focus of this discussion. For this reason, I find myself returning to the 30% rule, meaning cattle must have access to pasture not less than 30% of the time, on an annual basis, though not necessarily deriving 30% of their feed from pasture. The OSP must contain a pasture management plan that demonstrates how pasture productivity will be improved over time and maximized under the constraints of sustainable use.*

- Is the current role of pasture in the NOP regulations adequate for dairy livestock under principles of organic livestock management and production?

*No. the "...including pasture and forage" language is vague; "maximization of the use of pasture and on-farm derived forages within the constraints of sustainable production as outlined in the OSP" is suggested alternative language.*

- If the current role of pasture as it is described in the NOP regulations is not adequate, what factors should be considered to change the role of pasture within the NOP regulations. Provide any available evidence in support of concerns raised.

*Ruminant agriculture has its origins in the use of pasture and forages of various types; it is the conversion of such materials to human food that renders such agriculture rational and ecologically sustainable. Organic ruminant agriculture must emphasize the use of such forages, produced on site to the degree possible, to be ecologically defensible. If producers are capable of producing forages for their animals, they are also capable of providing access to at least seasonal grazing. There is an extensive literature supporting the position that well managed perennial pastures are ecologically superior to annual forage crops, and are capable of providing similar or greater yields when all inputs are considered. The use of such systems should be encouraged, but not required, under the NOP. With this as a standard, the individual OSP can be constructed around the standard of "maximization of the use of pasture and on-farm derived forages within the constraints of sustainable production." Importantly, disposition of manure and other farm wastes must be included in this equation.*

- Which parts of the NOP regulations should be changed to address the role of pasture in organic livestock management?

#### **§ 205.237 Livestock feed.**

*(a) The producer of an organic livestock operation must provide livestock with a total feed ration composed of organically produced agricultural products, including "maximization of the use of on-farm pasture and on-farm derived forages within the constraints of sustainable production" :Except, That, nonsynthetic substances and synthetic substances allowed under § 205.603 may be used as feed additives and supplements.*

- Should the organic system plan requirements (§ 205.201) be changed to introduce a specific means to measure and evaluate compliance with pasture requirements for all producers of dairy or other livestock operations? Or, should a new standard be developed just for pasture alone?

*Add language to the OSP describing the producer's procedures for maximizing use of on-farm pasture within the constraints of sustainable production.*

Thank you for the opportunity to comment on the advance notice of proposed rulemaking on access to pasture.

Sincerely,

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CA State Board of Forestry Certified Rangeland Manager #75